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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/803,321

03/18/2004

Robert Longman

5771

7590 01/22/2008
ROBERT LONGMAN & SOPHIA C. LI
Suite 113
207 E. Ohio
Chicago, IL 60611

EXAMINER

MACASIANO, MARILYN G

ART UNIT	PAPER NUMBER
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4137

MAIL DATE	DELIVERY MODE
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01/22/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/803,321	Applicant(s) LONGMAN ET AL.	
	Examiner MARILYN MACASIANO	Art Unit 4137	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☐ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Objections

Claim 1 objected to because of the following informalities: Claim 1 recites the limitation, "grants" on line 2. To clarify the claim, Examiner suggests using "granting" in

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, and 4-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Loveland (U. S. Pub. No. 2002/0052818).

3. Claim 1: Loveland discloses a method of rewarding or building customer loyalty place of "grants". Appropriate correction is required in which:

a. a company (or a stock issuing business entity) grants its customers with set amount of stock options (or stocks) (paragraph 0019, Sentence 1-3 and paragraph 0056, Sentence 1-3).

b. the initial stock option (or stocks) offering quantity for each customer will be based on each customer's revenue generating potential or any other method or combination of methods as dictated by said company or said business entity (paragraph 0019, Sentence 2 and paragraph 0041, Sentence 1-6).

c. said company (or said business entity) will record each customer's revenue contribution to the company (or said business entity) during each reporting cycle (quarterly, semi-annually, or annually (paragraph 0024, Sentence 1 and paragraph 0056, Sentence 1-3).

d. each customer will be granted additional stock options (or stocks) based on his/her/its revenue contribution to said company (or said business entity) (paragraph 0043, Sentence 4 and paragraph 0071, Sentence 1).

e. reward ratio affects the amount of stock options (or stocks) a customer will receive (paragraph 0089, Sentence 1-4).

f. the more contribution a customer gives, the more stock options (or stocks) he/she/it receives (paragraph 0010, Sentence 1-3 and paragraph 0021, Sentence 1-2).

g. overtime, those customers made momentous contributions to the revenue will become significant shareholders of said company (or said business entity) (paragraph 0040, Sentence 1-2 and paragraph 0044, Sentence 1-3).

h. said company (or business-entity) will be able to reward and retain valuable customers while growing itself at the same time (paragraph 0019, Sentence 1-5 and paragraph 0021, Sentence 1-2).

i. there is a first mover advantage in adopting stock incentive plans for customers (paragraph 0043, Sentence 3-4).

j. said method contains a holding period determined by the said company (or said business entity) so that customers will not be able to sell the company stocks in order to stabilize stock prices and to avoid customers making frequent switches to other companies (paragraph 0024, Sentence 1 and paragraph 0091, Sentence 4-5).

5. With respect to claim 4, Loveland discloses a method as in claim 1 wherein said companies (or business entities) are online companies (paragraph 0020, Sentence 1-3; paragraph 0046, Sentence 1-5 and paragraph 0085, Sentence 1-2).

6. With respect to claim 5, Loveland discloses a method as in claim 1 wherein said companies (or business entities) are traditional offline companies (paragraph 0046, Sentence 1-5 and paragraph 0085, Sentence 1).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claim 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Loveland (U. S. Pub. No. 2002/0052818) in view of Tenenbaum (U.S. Pub. No. 2001/0047295).

9. Claim 2: Loveland discloses a method as in claim 1 above but does not disclose wherein said stock incentive plan (or stock rewarding plan) is for publicly traded companies. Tenenbaum discloses a method wherein said stock incentive plan (or stock rewarding plan) is for publicly traded companies (paragraph 0012, Sentence 1; paragraph 0013, Sentence 1-3; paragraph 0016, Sentence 1-2 and paragraph 0017, Sentence 1). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the stock incentive plan of Loveland to be for a publicly traded company as taught by Tenenbaum. One of ordinary skill would have been motivated to make this modification in order to increase the demand for its own stock, to increase trading volume and to create customer loyalty.

10. Claim 3: Loveland discloses a method as in claim 1 above but does not disclose wherein said stock incentive plan (or stock rewarding plan) is for privately held

companies. Tenenbaum discloses a method wherein said stock incentive plan (or stock rewarding plan) is for privately held companies (paragraph 0014, Sentence 1; paragraph 0015, Sentence 1-3; paragraph 16, Sentence 1-2; paragraph 0017, Sentence 1 and paragraph 0027, and Sentence 1-3). Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the stock incentive plan of Loveland to be for a privately held company as taught by Tenenbaum. One of ordinary skill would have been motivated to make this modification in order for the company to create customer loyalty.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MARILYN MACASIANO whose telephone number is (571)270-5205. The examiner can normally be reached on 5/4/9 7:30-5:00 Mon.-Fri. 7:30-4:00 Fri..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Fisher can be reached on (571)272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3693

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MARILYN MACASIANO/
Examiner, Art Unit 4137

/James A. Kramer/
Supervisory Patent Examiner, Art
Unit 3693

Notice of References Cited

Application/Control No.

10/803,321

Applicant(s)/Patent Under
Reexamination
LONGMAN ET AL.

Examiner

MARILYN MACASIANO

Art Unit

4137

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
*	A	US-2002/0052818	05-2002	Loveland, Andrew J.	705/36
*	B	US-2001/0047295	11-2001	Tenembaum, Samuel Sergio	705/14
*	C	US-2002/0042742	04-2002	Glover et al.	705/14
*	D	US-2003/0004803	01-2003	Glover et al.	705/14
*	E	US-2002/0116264	08-2002	Feidelson et al.	705/14
*	F	US-2002/0046109	04-2002	Leonard et al.	705/14
*	G	US-2002/0046110	04-2002	Gallagher, P. Christopher J.	705/14
*	H	US-6,345,261	02-2002	Feidelson et al.	705/14
*	I	US-7,219,071	05-2007	Gallagher, P. Christopher J.	705/14
*	J	US-2002/0046110	04-2002	Gallagher, P. Christopher J.	705/14
*	K	US-2005/0209916	09-2005	Longman et al.	705/014
*	L	US-7,096,195	08-2006	Maples, Durham Russell	705/36R
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
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*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
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Canada NewsWire. Ottawa: Sep 9, 2002. pg. 1

Abstract (Summary)

The original Gold Points Rewards(SM) test program was launched by [Carlson Companies'](#) founder Curtis L. Carlson in 1996 as an electronic reincarnation of the Gold Bond Stamp Company, which started in 1938. The electronic consumer incentive program rewarded members for consistent loyalty and stimulated growth in sales for a network of well-known retail, service, and hospitality partners. Today, more than eight million Gold Points Rewards members can earn and redeem points at more than 2,000 Gold Points Partner locations including [Radisson Hotels & Resorts Worldwide\(R\)](#), [Radisson Seven Seas Cruises](#), [Thrifty Car Rental](#), [Carlson Wagonlit Travel](#), [OLCO Gas](#), and [ADT](#). For more information regarding Gold Points Rewards in Canada, please visit [GoldPointsCanada.com](#) or call 800 463 4909.

Initially, with this partnership, new customers and Gold Points Rewards members will have the opportunity to collect Gold Points through special promotions on new account activations as well as for referrals from all [ADT](#) corporate locations across Canada. As the program grows, [ADT](#) will build in additional loyalty rewards for existing customers. This is in addition to the thousands of other Canadian points sponsor locations including [Radisson Hotels & Resorts](#), [Carlson Wagonlit Travel](#), and [Thrifty Car Rental](#).

>> [Jump to indexing \(document details\)](#)

Full Text (672 words)

(Copyright Canada Newswire)

TORONTO and VANCOUVER, Sept. 9 /CNW/ - [ADT Security Services](#) Canada, Inc. a division of [Tyco International Ltd.](#), today announced a partnership with Gold Points Rewards(SM) as their loyalty program of choice. The partnership would strengthen [ADT's](#) current relationship management initiatives, particularly focusing on new acquisitions and further developing their customer databases:

"Our customers entrust us with the safety of their families, their most valuable possessions and their homes," says Steve Millen, vice president of marketing. "We decided to partner with Gold Points Rewards because they share the same vision of building stronger

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relationships through defining and rewarding our best customers."

Initially, with this partnership, new customers and Gold Points Rewards members will have the opportunity to collect Gold Points through special promotions on new account activations as well as for referrals from all ADT corporate locations across Canada. As the program grows, ADT will build in additional loyalty rewards for existing customers. This is in addition to the thousands of other Canadian points sponsor locations including Radisson Hotels & Resorts, Carlson Wagonlit Travel, and Thrifty Car Rental.

"With the important strategic addition of ADT to the network, the Gold Points Rewards Program continues to solidify its position as one of Canada's loyalty marketing leaders," said Rick Morrison, vice president and general manager of Gold Points Rewards. "Now, we can offer our Gold Points members 'peace of mind' from the world's leading electronic security company."

The Gold Points Rewards program is comprised of an extensive partner network where members have the freedom to collect points that never expire. Members are able to redeem points for valuable rewards that include fuel, travel, meals, hotel stays, car rentals, entertainment and brand name merchandise. Partners reward their members each time they use their card at participating locations. The more the card is used, the more points are earned and the faster the point balance grows. By making a simple phone call or an online request, members decide how to redeem their points and enjoy the benefits of being a loyal Gold Points Rewards cardholder.

The muscle of the Gold Points Rewards program comes from its powerful Customer Relationship Management (CRM) tool. This offers partners the ability to achieve true one-to-one relationship marketing without the upfront costs typically incurred with such programs. Coupled with the fact that there is no need to invest in large bulks of points makes this a viable and turn key alternative to some of the more costlier and complicated loyalty programs.

Editor's note:

About ADT

Celebrating its 128th anniversary, ADT Security Services, Inc., a unit of Tyco Fire & Security, is the largest single provider of electronic security services to more than 7 1/2 million commercial, federal and residential customers throughout the world. ADT's total security solutions include intrusion, fire protection, closed circuit television, access control, critical condition monitoring, electronic article surveillance and integrated systems.

Tyco Fire & Security, one of the major business units of Tyco International Ltd., designs, manufactures, installs and services electronic security systems, fire protection, detection and suppression systems, sprinklers and fire extinguishers. Tyco Fire & Security includes more than 60 brands, which are represented in over 100 countries. Its products are used to safeguard firefighters, prevent and fight fires, deter thieves and protect people and property.

About Gold Points Rewards

The original Gold Points Rewards(SM) test program was launched by [Carlson Companies'](#) founder Curtis L. Carlson in 1996 as an electronic reincarnation of the Gold Bond Stamp Company, which started in 1938. The electronic consumer incentive program rewarded members for consistent loyalty and stimulated growth in sales for a network of well-known retail, service, and hospitality partners. Today, more than eight million Gold Points Rewards members can earn and redeem points at more than 2,000 Gold Points Partner locations including [Radisson Hotels & Resorts Worldwide\(R\)](#), [Radisson Seven Seas Cruises](#), [Thrifty Car Rental](#), [Carlson Wagonlit Travel](#), [OLCO Gas](#), and [ADT](#). For more information regarding Gold Points Rewards in Canada, please visit GoldPointsCanada.com or call 800 463 4909.

E-mail: [psazon\(at\)carlson.com](mailto:psazon(at)carlson.com), Web Site:
www.goldpointscanada.com/ ST: Ontario, British ColumbiaSU: PDT

Indexing (document details)

Companies: [ADT Security Services Inc.](#), [Tyco Fire & Security](#), [Tyco International Ltd](#)
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